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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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03/27/2001

Terng-Yin Hsu

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04/27/2005

J.C. PATENTS

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Irvine, CA 92618

EXAMINER

PHU, PHUONG M

ART UNIT

PAPER NUMBER

2631

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/818,697

Applicant(s)

HSU ET AL.

Examiner

Phuong Phu

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED, (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is responsive to the Amendment filed on 12/16/04.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura (5,216,693), previously cited, in view of Davidovici et al (6,130,906), newly-cited.

As per claim 1, see figure 12, and col. 10, lines 9-33, Nakamura discloses a method comprising:

step (52) of sequentially receiving a plurality of sample data from a received signal (RECEIVING SIGNAL); and

step (51) of shifting a storage position of a PN sequence (PN CODE SIGNAL) according to a storage position of the sample data being stored or held at an input of digital means (52) to be timely correlated with the PN sequence.

Nakamura does not disclose that the plurality of received sample data are stored, as claimed.

However, Nakamura discloses that the plurality of received sample data are provided in a parallel fashion for a matching operation with said PN sequence in means (52) (see figure 12).

Davidovici et al discloses a parallel fashion in which a sample data (outputted from A/D (119)) is received sequentially by switch (121) for storing in a storage (122, 222) so that the

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received sample data can be outputted or provided in parallel from the storage (122, 222) for further processing (see figure 1 and col. 4, line 30 to col. 5, line 9).

Since Nakamura does not disclose, in detail, how the parallel fashion in which the received sample data are received for the matching operation with said PN sequence in means (52), it would have been obvious for one skilled in the art to implement Nakamura invention, as taught by Davidovici et al, in such a way that the sample data is received from (RECEIVING SIGNAL) sequentially by a switch for storing in a storage so that the received sample data would be outputted or provided in parallel from the storage for the matching operation with said PN sequence in means (52), without affecting the overall system performance.

As per claim 2, Nakamura in view of Davidovici et al discloses that the sample data are stored and retrieved according to their sequence without shifting their storage positions (see Nakamura figure 12 and Davidovici et al figure 1).

As per claim 3, see figure 12, and col. 10, lines 9-33, Nakamura discloses a method comprising:

step (52) of receiving a signal (RECEIVING SIGNAL) comprising a plurality of sample data;

step (51) of storing PN sequence in a second storage region (51) for storing reference values;

step (51) of shifting the PN sequence in the second storage region to a position corresponding to the sample data; and

step (52) of performing a matching operation to match each sample data with the PN sequence stored in the corresponding position in the second storage region.

Nakamura does not disclose that the plurality of received sample data are stored sequentially in a first data storage region, as claimed.

However, Nakamura discloses that the plurality of received sample data are provided in a parallel fashion for a matching operation with said PN sequence in means (52) (see figure 12).

Davidovici et al discloses a parallel fashion in which a sample data (outputted from A/D (119)) is received sequentially by switch (121) for storing in a first storage region (122, 222) so that the received sample data can be outputted or provided in parallel from the first storage region (122, 222) for further processing (see figure 1 and col. 4, line 30 to col. 5, line 9).

Since Nakamura does not disclose, in detail, how the parallel fashion in which the received sample data are received for the matching operation with said PN sequence in means (52), it would have been obvious for one skilled in the art to implement Nakamura invention, as taught by Davidovici et al, in such a way that the sample data is received from (RECEIVING SIGNAL) sequentially by a switch for sequentially storing in a first storage region so that the received sample data would be outputted or provided in parallel from the first storage region for the matching operation with said PN sequence in means (52), without affecting the overall system performance, wherein based on skills of the one skilled in the art, Nakamura invention in view of Davidovici et al could be implemented to be capable of performing step (51) of shifting the PN sequence in the second storage region to a position corresponding to the sample data in the first storage region when all the sample data is stored in the first data storage; and step (52) of performing a matching operation to match each stored sample data with the PN sequence stored in the corresponding position in the second storage region so that the matching operation of the sample data with said PN sequence would be carried out.

Response to Arguments

4. Applicant's arguments, filed on 12/16/04, have been fully considered and are persuasive. Therefore, the previous rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Nakamura and Davidovici et al with reasons set forth above in this Office Action.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong Phu whose telephone number is 571-272-3009. The examiner can normally be reached on M-F (6:30-2:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuong Phu

Phuong Phu
04/18/05

PHUONG PHU
PRIMARY EXAMINER

Phuong Phu
Primary Examiner
Art Unit 2631